IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

LA.App..No. 1293 of 2007()

LAR.46/2001 of II ADDL.SUB COURT,TRIVANDRUM
.....

APPELLANT: RESPONDENT IN LAR

STATE OF KERALA, REP. BY DISTRICT
COLLECTOR, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA

RESPONDENTS: CLAIMANTS IN LAR
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1. K.SANAL KUMAR, S/O.K.KRISHNAN,
OOTTUKUZHY, VILAPPILSALA, THIRUVANANTHAPURAM.

2. THE SECRETARY,
CITY CORPORATION,
THIRUVANANTHAPURAM.

BY

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR, JJ.

L.A.A.No. 1293 of 2007

Dated this the 22nd day of August, 2007

JUDGMENT

Kurian Joseph,J.

This appeal is filed against the judgment and decree in L.A.R.No.46/2001 on the file of the Sub Court, Trivandrum. The acquisition is for the purpose of construction and expansion of dumping yard at Vilappilsala. Section 4(1) notification is dated 25-4-1994. It is brought to our notice that the State has not filed appeals against the judgments covered by the common judgment. The learned Government Pleader however contended that the reference court has placed reliance on post notification documents. It is now settled law that the reference court is entitled to look into post notification documents also, having regard to the facts and circumstances of each case and also granting due allowance for the enhancement in land value for the intervening period. Thus we do not find any merit in the appeal. It is accordingly dismissed.

(KURIAN JOSEPH, JUDGE)

(T.R.RAMACHANDRAN NAIR, JUDGE)

ahg.